

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 26.02.2020
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.Nos.3430 and 10945 of 2016

W.P.No.3430 of 2016:

Uma Maheswari

... Petitioner

Vs

- 1.The Joint Registrar of Co-operative Societies,
Tiruppur Region, Tiruppur, Tiruppur District.
- 2.The Deputy Registrar of Co-operative Societies,
O/o.Tiruppur Cooperative Marketing Society Compound,
Kamaraj Street, Palladam Road, Tiruppur-4.
- 3.The President,
Alathur Primary Agricultural Cooperative Credit Society,
Alathur, Avinashi Taluk
Tiruppur District.
- 4.Balamani ... Respondents

W.P.No.10945 of 2016:

S.Balamani

... Petitioner

Vs

- 1.The Registrar of Cooperative Society,
Chennai.
- 2.The Deputy Registrar, Cooperative Society,
Tiruppur Region, Tiruppur District.
- 3.The Deputy Registrar of Co-operative Societies,
O/o.Tiruppur Cooperative Marketing Society Compound,
Kamaraj Street, Palladam Road, Tiruppur-4.

4.The President,
Alathur Primary Agricultural Cooperative Credit Society,
Alathur, Avinashi Taluk
Tiruppur District. ... Respondents

Prayer:

W.P.No.3430 of 2016 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the first respondent to consider and pass orders on merits by disposing the written representation made by the petitioner on 05.01.2016 within a stipulated time fixed by this Court.

W.P.No.10945 of 2016 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the second respondent to consider the representation of the petitioner dated 21.03.2016.

W.P.No.3430 of 2016:

For Petitioner : Mr.P.Kannan Kumar

For Respondents: Mr.L.P.Shanmugasundaram,
Spl.GP for R1 and R2

Mrs.T.P.Savitha, Government Advocate
for R3

Mr.G.A.Thiagarajan for R4

W.P.No.10945 of 2016:

For Petitioner : Mr.G.A.Thiyagarajan

For Respondents: Mr.L.P.Shanmugasundaram,
Spl.GP for R1 to R3

Mrs.T.P.Savitha, Government Advocate
for R4

COMMON ORDER

It is stated in the affidavit filed in support of W.P.No.3430 of 2016 by the petitioner that the District Recruitment Bureau called for applications from the candidates by fixing the eligibility, for the post of Salesman, in which, for BC candidates, the age limit has been prescribed as 32 years. The petitioner and others applied for the said post. The

fourth respondent herein also applied for the said post. Even though the fourth respondent filled up in her application stating her date of birth as 20.04.1980, thus she crossed 33 years as on the date of application, she was selected and appointed as Sales Woman. In this connection, the petitioner has made a representation dated 05.01.2016 to the first respondent. Seeking a direction to the first respondent to consider and pass orders on the representation, this writ petition has been filed.

2.W.P.No.10945 of 2016 has been filed by the fourth respondent in W.P.No.3430 of 2016 stating that she joined the Alathur Primary Agricultural Cooperative Credit Society, Alathur, by order dated 04.06.2014 and from that date, she is working in the Society; that due to lack of knowledge even though she was born on 14.08.1982, her parents have not applied for the birth certificate and only after joining the society she applied for the same and obtained it. Even though in her educational certificates, her date of birth has been shown as 20.04.1980, her original date of birth is 14.08.1982 only. In this connection, she received a show cause notice from the Society calling for explanation with regard to her age. She also made a representation in this connection on 21.03.2016 to the second respondent. Seeking a direction to the second respondent to consider and pass orders on the representation, this writ petition has been filed.

3.This Court has heard the submissions made by the learned counsel on either side.

4.In respect of W.P.No.3430 of 2016, considering the facts and circumstances of the case and without going into the merits of the claims made by the petitioner, the first respondent is directed to consider the representation dated 05.01.2016 made by the petitioner on merits and in accordance with law after affording reasonable opportunity to the petitioner and conducting enquiry, and pass appropriate orders, within a period of six weeks from the date of receipt of a copy of this order.

5.In respect of W.P.No.10945 of 2016, considering the facts and circumstances of the case and without going into the merits of the claims made by the petitioner, the second respondent is directed to consider the representation dated 21.03.2016 made by the petitioner on merits and in accordance with law after affording reasonable opportunity to the petitioner and conducting enquiry, and pass appropriate orders, within a period of six weeks from the date of receipt of a copy of this order.

6.The parties are at liberty to produce the copies of documents in support of their contentions, before the authorities, during enquiry.

7.With the above directions, the writ petitions are disposed of. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

KM

To

- 1.The Registrar of Cooperative Societies,
Chennai.
- 2.The Joint Registrar of Co-operative Societies,
Tiruppur Region, Tiruppur, Tiruppur District.
- 3.The Deputy Registrar of Co-operative Societies,
O/o.Tiruppur Cooperative Marketing Society Compound,
Kamaraj Street, Palladam Road, Tiruppur-4.
- 4.The President,
Alathur Primary Agricultural Cooperative Credit Society,
Alathur, Avinashi Taluk
Tiruppur District.

+2 ccs to M/s.P.Kannan Advocate sr17877
+1 cc to M/s.T.P.Savitha Advocate sr16770
+2 cc to M/s.L.P.Shanmugasundaram Advocate sr16977,16978
+2 cc to Special Government Pleader(ComP) sr17167,17168

W.P.Nos.3430 and 10945
of 2016

aa15/05/2020

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